

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ashkenazi et al. Docket No: 39780-1618P2C34
Serial No: 09/902,713 Group Art Unit: 1644
Filed: July 10, 2001 Examiner: Jessica H. Roark

For: **ANTIBODIES TO PRO269 POLYPEPTIDES**

DECLARATION OF DR. AUSTIN L. GURNEY

Commissioner for Patents

Washington, D.C. 20231

Dear Sir:

I, AUSTIN L. GURNEY, do declare and say as follows:

1. I am an inventor of the above-identified patent application.
2. I am familiar with claims 39 - 43 under examination in the above-identified patent application.

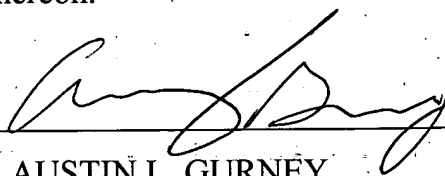
3. I am a co-inventor of International Patent Application Publication No. WO99/14328 published on March 25, 1999.

4. It is my belief, based upon my personal knowledge of the individual contributions of each of the inventors of International Patent Application Publication No. WO99/14328, and my understanding of the subject matter of claims 39 - 43 of the present application that the work relating to PRO269 described in WO99/14328 is the joint invention of myself, Audrey Goddard and William I. Wood and the other listed inventors of WO99/14328 made no inventive contribution.

5. I declare further that all statements made in this Declaration of my own knowledge are true and that all statements made on information and belief are believed to be true and further, that these statements are made with the knowledge that willful statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title

18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent granted thereon.

Dated: 10/6/03


AUSTIN L. GURNEY

10/1/03 3:31 PM ()